

§ 220.6 Applications.

Applications for Superfund Temporary Relocation Assistance under CERCLA, as amended, shall be accepted throughout the relocation period identified by EPA. Members of each household shall be included on a single application. Household members shall be provided a safe, sanitary and secure residence.

(Approved by the Office of Management and Budget under OMB Control Number 3067-0168)

§ 220.7 Eligibility criteria.

Temporary Relocation Assistance may be made available to those individuals displaced from this primary residence as a result of a determination by EPA that relocation is necessary. Temporary Relocation Assistance for a particular site shall be available only in the area identified by EPA through property addressed, site map or names of families.

§ 220.8 Eligible categories of assistance.

The following categories of assistance may be provided, based on individual needs:

(a) *Temporary housing.* This may include locally available private rentals (houses and apartments), including hotels/motels (transient or other accommodations). Sharing of accommodations with family and friends is an allowable form of assistance only when an eligible applicant elects it as his/her form of assistance. FEMA will pay fair market value for existing resources in accordance with the criteria in § 220.11 of this part. When authorized by the FEMA Regional Director, security deposits may be paid. Pet fees/deposits are authorized. All deposits must be recovered from the owner/agent or occupant, before or at the time that assistance is terminated. Cleaning fees and laundry fees at the temporary housing residence are the responsibility of the occupant(s).

(b) *Subsistence payment.* A daily allotment may be provided to cover additional costs such as food and laundry expenses, when individuals are placed in hotels/motels or other transient accommodations. Allotment shall be

based on the Federal per diem rate, when FEMA administers the program.

(c) *Furniture assistance.* When it is impractical to move furniture to the temporary housing or when EPA has determined that furniture is contaminated, essential furniture may be provided to eligible occupants of unfurnished temporary housing. Furniture items are provided on a loan basis for the duration of the temporary relocation. Items provided shall be of average construction and quality. Luxury items shall not be provided. Furniture rental assistance may be handled by direct reimbursement, or advancement of funds. Receipts must be provided by the applicant.

Items are to be provided in accordance with family size and needs, and include:

- 1 Sofa
- 1 Living room chair
- 1 Coffee table
- 2 End tables
- 2 Table lamps
- 1 Dining table
- 1 Dining chairs
- 1 Range
- 1 Refrigerator
- 1 Double bed (Mattress, box springs, frame)
- 1 Single bed (Mattress, box springs, frame)
- 1 Crib w/mattress
- 1 Bunk bed set
- 1 Night table (per bedroom)
- 1 Table lamp (per bedroom)
- 1 Chest of drawers
- 1 Television (Maximum 19")
- 1 One per person.

(d) *Expenses for transportation of household goods.* This shall include the reasonable cost of moving to temporary housing and back to the primary residence or to another permanent residence. It shall also include one move to a permanent residence when the individuals displaced decide to forego a move to temporary housing and move to permanent housing instead.

(e) *Utility subsidy.* Costs for essential utilities at the primary residence, only during the period of temporary housing, may be authorized since these costs are additional to utility costs at the temporary housing resource, which are the responsibility of the occupant. Payment for essential utilities shall include gas, electricity, oil, water, sewer, and telephone. If cost effective,

winterization costs may be paid as an alternative or in conjunction with the utility subsidy. This must be approved by the FEMA Regional Director or his/her representative. When permanent relocation is also authorized, utilities at the unoccupied primary residence should be disconnected, when practical, eliminating the need for utility subsidy.

(f) *Utility connection costs.* If the costs of connecting and/or disconnecting utilities cannot be waived by utility companies, the costs for connecting or disconnecting the essential utilities at the temporary housing residence shall be paid. Also, if cost effective when compared to utilities subsidy, reconnection costs shall be paid at the primary residence.

(g) *Kennel costs.* When necessary, payment of actual reasonable kennel and pasturing costs shall be authorized.

(h) *Personal property.* Contaminated personal property shall be decontaminated or acquired by FEMA or its agent when EPA specifically determines the need for decontamination or acquisition as part of temporary relocation. Only reasonable actual expenditures shall be paid for decontamination of property, excluding applicant labor.

(i) *Other expenses directly related to relocation.* When appropriate, the Regional Director may recommend that such other expenses directly related to the temporary relocation become eligible. This request must be approved by the Assistant Associate Director, Disaster Assistance Programs.

§ 220.9 Ineligible categories.

The following items shall *not* be eligible for payment under Temporary Relocation Assistance:

(a) Rental payments or mortgage payments for homes owned by the eligible applicant;

(b) Business losses. This does not prohibit use of a temporary housing residence for a home business. However, additional costs necessitated by the operation of a home business are not authorized;

(c) Personal transportation costs;

(d) Insurance premiums for the temporary housing unit and the primary residence; and

(e) Cleaning fees and laundry fees at the temporary relocation residence.

§ 220.10 Site security.

The EPA is responsible for site security.

§ 220.11 Fair market rent guidelines.

At each site, fair market rent guidelines for each size residence shall be established by averaging the cost of available residences per bedroom size for each locality where temporary housing will be provided. Where privately owned mobile homes are to be used, a separate guideline shall also be developed. Guidelines for hotel, motel and other short-term resources shall be developed only when there is a substantial variance in price among the available supply. The purpose of these fair market rent guidelines is to prevent development of an inflated rental market resulting from the incident and to insure cost-effectiveness. These guidelines reflect the desired maximum payment. Use of resources more costly than the guidelines may be authorized by the FEMA Regional Director or official designee for full payment only when other existing resources are not available. When less than 10 families are being relocated, fair market rent guidelines may be established by a less time-consuming means, e.g., using an estimate provided by real estate agencies or conducting a sampling instead of a comprehensive survey.

§ 220.12 Transfer of occupants.

(a) *Transfers requested by occupants.* Occupants who request to transfer from one temporary housing unit to another, solely for their own convenience or for reasons necessitated through their fault, shall be responsible for all expenses associated with the move, including any increase in temporary housing rent.

(b) *Transfers for other reasons.* If FEMA initiates a transfer or if a transfer is necessitated for reasons which are not the fault of an occupant, all essential costs of the move shall be paid by FEMA. Such transfers shall be conducted in a manner that will cause minimum inconvenience to the occupants.